

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIFA MUHAMMAD,

Plaintiff,

No. CIV S-02-0006 LKK CMK P

vs.

SAN JOAQUIN COUNTY JAIL,

Defendants.

ORDER

Plaintiff brings this civil rights action pursuant to 42 U.S.C. § 1983. This proceeding was referred to the undersigned by Local Rule 72-302 by the authority of 28 U.S.C. § 636(b)(1). On July 31, 2006, the court filed a scheduling order setting deadlines for submission of pretrial statements and setting a pretrial conference on the papers only.

Plaintiff subsequently took an interlocutory appeal as to the July 25, 2006 order granting defendants' motion for summary judgment in part and denying the motion in part. As

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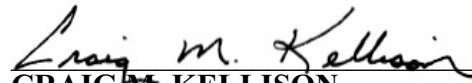
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1 the appeal effectively deprives this court of jurisdiction over this matter until such time as the  
2 appeal is decided, the court vacates the July 31, 2006 scheduling order. The court will issue a  
3 further scheduling order after plaintiff's appeal to the Ninth Circuit is decided.

4 IT IS SO ORDERED.

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6 DATED: January 10, 2007.

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9 **CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE

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